

**U.S. Department of Labor**

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**Issue Date: 02 July 2008**

CASE NO: 2008-TLC-00037  
2008-TLC-00040

***In the Matter of:***

NORTH CAROLINA GROWERS ASSOCIATION, INC.,  
*Petitioner,*

v.

U.S. DEPARTMENT OF LABOR,  
*Respondent.*

**ORDER OF DISMISSAL**

On June 30, 2008, counsel for Petitioner North Carolina Growers Association, Inc., forwarded by facsimile a notice of withdrawal of the job order that is the subject of the requests for *de novo* hearing in these consolidated cases. In addition, a conference call was held on the same day with the undersigned, counsel for Petitioner, and counsel for Respondent. Counsel for petitioner represented that she had been authorized to speak for counsel for would-be intervenor Farm Labor Organizing Committee. In the course of the call, the parties agreed that because of the withdrawal of the job order and of Petitioner's intent to submit two new job orders in lieu thereof, the hearing tentatively scheduled for July 9 and 10 has been mooted.

In light of the foregoing, IT IS HEREBY ORDERED:

1. The hearing tentatively scheduled for July 9 and 10, 2008 in Raleigh, North Carolina, is CANCELLED;
2. The issues raised in these consolidated requests for *de novo* hearing are moot, and therefore the requests are DISMISSED; and
3. The pending motion of Farm Labor Organizing Committee for leave to intervene is DENIED AS MOOT, without prejudice to the motion being resubmitted in the event of future proceedings.

**SO ORDERED.**

**A**

PAUL C. JOHNSON, JR.  
Administrative Law Judge